

Summary of Proposed Amendments to Regulation 8, Rule 3: Architectural Coatings

Regulatory language in the proposed amendments will replicate that found in the SCM. The following is a summary of the most significant proposals. Differences from the SCM are summarized in Special Notes.

There are a number of coatings that are currently exempt in Rule 3. The proposed amendments would replace the exemptions with VOC limits consistent with the EPA standards for architectural coatings, which will become effective on April 1, 2002:

Coating category	National VOC standard proposed
Millwhite (Dry fog) coatings	400 g/l
Fire retardant coatings	850 g/l (clear) or 450 g/l (opaque)
Fire resistive coatings	450 g/l (opaque fire retardant coatings)
Tile-like glaze coatings	250 g/l (nonflat) or 420 g/l (industrial maintenance); category eliminated
Mastic texture coatings	300 g/l
Metallic pigmented paints	500 g/l
Swimming pool paints	600 g/l
Multi-colored coatings	580 g/l
Quick-dry primers, sealers, undercoaters	450 g/l
Shellacs	730 g/l (clear) or 550 g/l (opaque)
Graphic arts coating	500 g/l
Bond breakers	600 g/l
Below ground wood preservatives	550 g/l

The following categories of coatings have VOC limits that will become more stringent on January 1, 2003:

Coating category	Current VOC limit	Proposed VOC limit, January 1, 2003
Flat coatings	250 g/l	100 g/l
Nonflat coatings	250 g/l	150 g/l
Antifouling coatings	420 g/l	400 g/l
Bond breakers	Exempt (see above)	350 g/l
Lacquer clear wood coatings	680 g/l	550 g/l
Fire resistive coatings	Exempt (see above)	350 g/l
Fire retardant coatings	Exempt (see above)	650 g/l (clear) or 350 g/l (opaque)
Floor coatings	400 g/l	250 g/l
Industrial Maintenance coatings	420 g/l	250 g/l (effective 1/1/2004)
Multi-Color coating	580 g/l	250 g/l
Primers, sealers and undercoaters	350 g/l	200 g/l
Quick-dry enamels	400 g/l	250 g/l
Quick-dry primers, sealers, undercoaters	Exempt (see above)	200 g/l
Rust preventative	420 g/l	400 g/l
Sanding Sealers	550 g/l	350 g/l
Stains	350 g/l	250 g/l
Swimming pool coatings	Exempt (see above)	340 g/l
Traffic marking coatings	250 g/l	150 g/l (current EPA rule limit)
Waterproofing wood sealers	400 g/l	250 g/l
Below ground wood preservatives	550 g/l	350 g/l

Coatings manufactured in compliance with current VOC limits may be distributed and sold for up to three years from the date new VOC limits go into effect. Coatings manufactured in compliance with current VOC limits may be used at any time after the date new VOC limits go into effect.

To minimize evaporative emissions, proposed amendments to Section 8-3-304 will require paint and solvent containers to be closed when not in use.

An averaging provision is proposed that will replicate the language in the SCM. This provision will allow manufacturers to average some categories of coatings on a statewide basis, subject to prior approval by CARB staff, provided the coatings are properly labeled. CARB staff will notify districts of coatings subject to this provision. Averaging will be allowed from Jan. 1, 2003 until Jan. 1, 2005, but staff will review the need for a continued averaging program prior to the expiration date. The procedure for averaging coatings is found in the proposed Manual of Procedures, Volume I, Number 7: Emissions Averaging Procedure for Architectural Coatings.

All architectural coating containers will be required to display a date of manufacture or date code, any thinning recommendation so as not to exceed VOC limits, and VOC content. The following coatings will require special labels for their specific uses: industrial maintenance coatings; clear brushing lacquers; rust preventative coatings; specialty primers, sealers and undercoaters; quick-dry enamels; and nonflat – high gloss coatings.

Manufacturers of the following coatings will be required to report yearly sales to CARB, beginning in 2004: clear brushing lacquers; rust preventative coatings; specialty primers, sealers and undercoaters; coatings of any category containing methylene chloride or perchloroethylene (see Special Notes); recycled coatings, and bituminous coatings.

Special Notes

There are two significant differences in the proposed amendments for Rule 3 and those proposed or adopted in most other areas of California.

The current VOC definition in Rule 3 has two parts, a definition for most architectural coatings, and a definition for low solids architectural coatings, those with no more than 120 grams coating solids per liter (1 lb solids per gallon). For most coatings, water and the following are exempt from calculation as VOC and are not considered part of the coating volume: methylene chloride, 1,1,1, trichloroethane, acetone, parachlorobenzotrifluoride (PCBTF) and methylated siloxanes (VMS). Of these, methylene chloride is a hazardous air pollutant and carcinogen and 1,1,1 trichloroethane is a hazardous air pollutant, mutagen and ozone depleting substance. For low solids coating, only water is included in the VOC calculation of the volume of coating. The proposed amendments will eliminate the exemption for methylene chloride and 1,1,1 trichloroethane, will add methyl acetate and will include exempt compounds in the calculation of the low solids coating volume. This is in accordance with the Board of Directors' 1991 Ozone Depletion Policy and proposed 2001 San Francisco Bay Area Ozone Plan. Potential environmental impacts are discussed in the Draft EIR.

Consistent with the SCM, a special provision is proposed for Industrial Maintenance coatings. Section 8-3-309 will allow for a limited amount of industrial maintenance coating at 340 g/l VOC beginning in 2004, when the VOC limit becomes 250 g/l. The total volume of industrial maintenance coating subject to this provision per year cannot exceed that which would result in VOC emissions of 10 tons greater than from the use of 250 g/l VOC coating. To qualify for this allowance, a user, or manufacturer or seller on behalf of a user, must petition the District and provide information on the specific coating, intended usage and volume required. The user must also certify that complying coating is not available. District staff will evaluate petitions and track the total yearly volume of coatings allowed to insure that the limit of 10 tons is not exceeded.

EG: DB:db P:/Ruledev/8-3/Final/phnot